

HOUSE BILL 3221  
By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 29,  
relative to the use of eminent domain for public  
use.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 12, is amended by  
adding the following new section:

§29-17-1203.

(a) Notwithstanding any other provision of law to the contrary, the taking  
of private property by use of the power of eminent domain shall be exercised by  
the state, a political subdivision of the state, or any other entity to which the  
power of eminent domain has been granted only for public use.

(b) For purposes of this section, "public use" means condemnation by:

(1) The state, a political subdivision of the state or other  
entity specified in subsection (a) for a project which it will carry out  
and use or operate; or

(2) A public service corporation which the state will  
regulate and which provides some necessity to the public.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.